

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6113 of 1986

Date of decision: 16-2-98

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

PARESH J BAROT

Versus

CHAIRMAN

Appearance:

None present for Petitioner

None present for Respondent No. 1, 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 16/02/98

ORAL JUDGEMENT

The matter was called out for hearing in the first round, second round and lastly in the third round. None put appearance on behalf of the parties. Perused the special civil application and the reply filed on behalf of the respondents.

2. The petitioner has not filed rejoinder to the reply filed by the respondents and as such the averments made therein are not controverted. From the reply to the special civil application I find that the petitioner's entry in service itself was bad. In fact it was back-door entry, and he had entered into service because of his relations. Decision taken to regularize his service was also arbitrary as he had not entered in service after due selection. The petitioner is the nephew of the then Administrator. Taking into consideration these facts, termination of the services of the petitioner cannot be said to be arbitrary or unjust, so as to call for any interference by this court.

3. In the result this special civil application fails and the same is dismissed. Rule discharged. No order as to costs.

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csm